

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

TONY M. ALLEN,

Plaintiff,

v.

Case No. 13-CV-585

C/O BARKOVICH,

Defendant.

DECISION AND ORDER

A review of this file discloses that the defendant filed a motion for summary judgment on October 20, 2014. Court records indicate that copies of the motion and supporting brief were mailed to plaintiff on October 20, 2014. Under the applicable procedural rules, plaintiff's response to that motion should have been filed on or before November 17, 2014.

Briefing schedules are set forth in Civil Local Rules 7 and 56 (E.D. Wis.). Parties are expected to comply with the procedures and dates specified in the rule without involvement of the court.

Court records show that plaintiff did not file any response to defendant's motion.

Therefore,

IT IS ORDERED that this action be dismissed with prejudice for lack of prosecution effective **December 26, 2014**, pursuant to Civil Local Rule 41(c) (E.D. Wis.) (copy enclosed) and Federal Rule of Civil Procedure 41(b), unless prior to that date plaintiff responds to the defendant's motion or establishes just cause for his failure to respond to said motion as required.

Dated at Milwaukee, Wisconsin, this 2nd day of December, 2014.

s/ Lynn Adelman

LYNN ADELMAN
District Judge

Civil Local Rule 41(c)
Dismissal for Lack of Diligence

Whenever it appears to the Court that the plaintiff is not diligently prosecuting the action, the Court may enter an order of dismissal with or without prejudice. Any affected party may petition for reinstatement of the action within 21 days.